

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

APR 13 2012

Jennifer McIvor
Director, Environmental Programs
MidAmerican Energy Company
7215 Navajo Street
Council Bluffs, Iowa 51501

Dear Ms. McIvor:

On December 1, 2006, MidAmerican Energy submitted a Petition for Technical Impracticability (TI) Waiver for the Peoples Natural Gas site. As stated in your letter, the petition was based upon detailed information presented in the Technical Impracticability Evaluation Report dated May 2006. Shortly after the U.S. Environmental Protection Agency received this petition, it was determined that the contaminated groundwater plume at the site was moving more rapidly than anticipated and further work needed to be done before accepting your petition and moving forward with a TI Waiver. MidAmerican Energy has since completed extensive investigative efforts and treatability studies that now allow the EPA to move forward with the selection of a modification of the remedy at the site.

It is the EPA's intention to grant the petition. We have confirmed with your consultant that you are still seeking the TI waiver. If that is not the case, please notify me immediately.

Implementation of a TI Waiver will require amending the Record of Decision dated September 16, 1991. This will require the preparation of a Proposed Plan describing the EPA's preferred remedy. Before this can be done the TI Evaluation Report must be amended to include new information that has been developed since 2006. Specifically this amendment should include a description of investigations conducted since 2006, recent groundwater sampling results, revisions to the alternative remedial strategies and modifications to the extent of the proposed TI zone.

Based upon the information provided in the TI Evaluation Report, it is anticipated that the preferred remedy will include waiving the chemical-specific applicable and relevant and appropriate requirements, as well as risk-based action levels for groundwater in an area designated as the TI zone for the silty sand aquifer. A means of capturing the leading edge of the groundwater plume will be a component of the preferred remedy. Additional institutional

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controls are also anticipated to be a component of the preferred remedy. Following a public comment period for this Proposed Plan the EPA would issue an Amended Record of Decision.

If you have questions regarding this or any other issue pertaining to this site, don't hesitate to contact me at (913) 551-7746.

Sincerely,

A handwritten signature in black ink, appearing to read "Diana L. Engeman", with a long horizontal flourish extending to the right.

Diana L. Engeman
Remedial Project Manager
Iowa/Nebraska Remedial Branch
Superfund Division

cc: Dan Cook, Iowa Department of Natural Resources
Kevin Armstrong, MWH

bcc: Bob Richards, CNSL